

Regular Session, 2011

HOUSE BILL NO. 319

BY REPRESENTATIVE SIMON

TAX CREDITS: Authorizes a credit against individual income tax for the owner of a newly constructed one- or two-family dwelling which includes certain accessible and barrier-free design elements

1 AN ACT

2 To enact R.S. 47:297(P), relative to tax credits; to authorize a credit against the individual
3 income tax for the owner of a newly constructed one- or two-family dwelling which
4 includes certain accessible and barrier-free design elements; to provide for
5 eligibility; to provide for the amount of the credit; to provide for limitations; to
6 authorize rulemaking; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 47:297(P) is hereby enacted to read as follows:

9 §297. Reduction to tax due

10 * * *

11 P.(1) There shall be allowed a credit against the individual income tax
12 liability of a taxpayer for the inclusion of accessible and barrier-free design elements
13 in the construction of a new one- or two-family dwelling. For purposes of this
14 Subsection, "taxpayer" shall mean an individual who owns a newly constructed one-
15 or two-family dwelling.

16 (2) The amount of the credit shall be one thousand dollars, or the total tax
17 liability of the taxpayer, whichever is less. The credit shall be taken in the taxable
18 year in which the construction of the dwelling is completed. Only one tax credit may
19 be granted per dwelling.

20 (3) A dwelling which meets all of the following requirements shall be
21 deemed to include accessible and barrier-free design elements for purposes of the tax
22 credit:

1 (a) It has one zero-step entrance at the front, back, or side of the residence.

2 (b) All main floor doors have a clear passage space of at least thirty-two
3 inches between door jams and strikes with the door at a ninety degree angle.

4 (c) All hallways and passages on the main floor have at least thirty-six inches
5 of clear width to the accessible bathroom and eating area.

6 (d) The main floor has, at a minimum, a half bath with a minimum five-foot
7 diameter of free and clear floor space.

8 (4) The secretary of the Department of Revenue is authorized to promulgate
9 rules and regulations in accordance with the Administrative Procedure Act, which
10 rules and regulations may include a requirement that taxpayers submit such
11 documentation with their returns, or to specifically retain such records that will
12 enable the department to determine the taxpayer's eligibility for and amount of the
13 tax credit claimed under this Section.

14 (5) The provisions of this Act shall be effective for all tax years beginning
15 on or after January 1, 2011.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Simon

HB No. 319

Abstract: Authorizes an individual income tax credit for owners of newly constructed one- or two-family dwellings which include certain accessible and barrier-free design elements.

Proposed law authorizes a credit against individual income tax in the amount of \$1,000 for the owner of a newly constructed one- or two-family dwelling which includes certain accessible and barrier-free design elements.

Proposed law requires that the tax credit be taken in the taxable year in which the construction is completed. The credit is limited to the lesser of \$1,000 or the taxpayer's total tax liability. Only one tax credit may be granted per dwelling.

Effective for all tax years beginning on or after Jan. 1, 2011.

(Adds R.S. 47:297(P))